

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

April 17, 1947  
10:55 A.M.

Council Chamber, City Hall

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The meeting was called to order, with Mayor Miller presiding.

## Roll call

Present : Councilmen Bartholomew, Glass, Mayor Miller, Councilmen  
Thornberry and Wolf - 5

Absent : None

Present also: Guiton Morgan, City Manager; J. E. Motheral, Director  
of Public Works; Trueman E. O'Quinn, City Attorney; and R. D. Thorp, Chief  
of Police.

The reading of the Minutes was dispensed with.

Frank H. Hemby, President and General Manager of Austin Transit, Inc.,  
came before the Council and presented in writing the following request for  
a bus route:

"Austin, Texas  
April 17, 1947

The City Manager  
Honorable Mayor  
and City Council  
Austin, Texas

Gentlemen:

We have had numerous requests from students living in the Brackenridge  
and Deep Eddy Apartments on Lake Austin Boulevard for faster bus service  
from these points to the University.

It is common knowledge that students living in these housing units are  
required to ride the Lake Austin Line into town and transfer to the Main or  
University bus. This procedure involves approximately twice as much time as  
a direct bus would.

We respectfully request your permission to operate a bus direct from this neighborhood to the University on a thirty or sixty day trial basis. If this service proves to be a paying line, we would like to then make it permanent.

The proposed line is as follows: Leaving Brackenridge Apartments and going through Municipal Golf Course to Enfield Road, down Enfield Road to Exposition, north on Exposition to Windsor Road, down Windsor Road to West 24th, and east on West 24th to Guadalupe. This bus will enter the Main Line at West 24th and proceed on Main Line to 6th and Congress.

A survey has shown that the greatest number of students leave this vicinity between 7:10 and 7:30 A. M. for 8:00 A.M. classes. We propose to leave Brackenridge Apartments at approximately 7:15 A. M.

We believe this change would greatly expedite the transportation of these students living in this vicinity and would give much faster service to students living along the proposed route. It would also alleviate, to some extent, the congested condition now existing on the Lake Austin Line during the peak period. We, therefore, request permission to operate this line as described above.

Very truly yours,

(Sgd) Frank H. Hemby "

After some discussion as to the advisability of allowing a bus route through the Golf Course to Enfield Road, it was moved by Councilman Thornberry that the request of the Austin Transit, Inc. for a bus route from the Brackenridge Apartments and Deep Eddy Apartments to the University of Texas to serve the veterans and other students at the University, be approved, but that said route go up Lake Austin Boulevard to Enfield Road instead of the Golf Course; and that the City Attorney be instructed to prepare an ordinance providing for stop signs at the intersection of Lake Austin Boulevard and Enfield Road, the same to be placed by order of the City Manager and the Police Department as rapidly as possible. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilmen  
Thornberry and Wolf

Noes : None

Chas. L. Sandahl, Chairman of the Clean-Up Drive for Polio, and Committee came before the Council and requested that the City Council proclaim the rest of this month as Clean-Up Week, and that the ordinance requiring that premises be kept clean be more rigidly enforced. The request was granted.

The application of Jim Gonzales for a change in zoning of the property located at 301 Canadian Street, from "A" Residence District to "C" Commercial District, was received. Councilman Thornberry moved that the matter be referred to the Board of Adjustment for consideration and recommendation. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilmen  
Thornberry and Wolf

Noes : None

The application of Louis D. Kubecka for a change in zoning of Blocks 46 and 47, located on Swisher Street between 23 $\frac{1}{2}$  Street and 24th Street, from "A" Residence District to "B" Residence District, was received. Councilman Wolf moved that the application be referred to the Board of Adjustment for consideration and recommendation. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilmen  
Thornberry and Wolf  
Noes : None

The application of Mr. and Mrs. C. Julian Baldwin et al for a change in zoning of Lots 1 through 6, being located on the north side of West 25th Street, in the 700 and 800 blocks, from "A" Residence District to "B" Residence District, was received. Councilman Thornberry moved that the matter be referred to the Board of Adjustment for consideration and recommendation. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilmen  
Thornberry and Wolf  
Noes : None

Councilman Thornberry introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND RECORDED IN ORDINANCE BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT ON TWO CERTAIN PORTIONS OF TERRITORY ANNEXED TO THE CITY OF AUSTIN, SUCH TERRITORY CONSISTING OF : (1) 237.07 ACRES OF LAND KNOWN AS HIGHLAND PARK WEST ANNEXED BY ORDINANCE PASSED OCTOBER 24, 1946; (2) 27.35 ACRES OF LAND KNOWN AS VALLEJO ANNEXED BY ORDINANCE PASSED OCTOBER 24, 1946; (3) 42.65 ACRES OF LAND KNOWN AS WILLOWBROOK ADDITION ANNEXED BY ORDINANCE PASSED NOVEMBER 27, 1946; (4) 70.59 ACRES OF LAND KNOWN AS MCKINLEY HEIGHTS AND EVERGREEN CEMETERY ANNEXED BY ORDINANCE PASSED DECEMBER 23, 1946; (5) 31.78 ACRES OF LAND KNOWN AS PANNELL PLACE ANNEXED BY ORDINANCE PASSED DECEMBER 23, 1946; AND (6) 20.60 ACRES OF LAND KNOWN AS GILES PLACE, SECTION 1, ANNEXED BY ORDINANCE PASSED DECEMBER 23, 1946; AND WHICH SIX TRACTS OF LAND WERE ZONED AS "A" RESIDENCE DISTRICT BY ORDINANCE PASSED MARCH 13, 1947; AND WHICH AMENDATORY ORDINANCE HEREBY CONTINUES THE ZONING OF "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT ON THE SAID SIX TRACTS OF LAND AS TO ALL PORTIONS THEREOF NOT HEREBY OTHERWISE ZONED; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Thornberry moved that the rule be suspended and the ordinance be passed to its second reading. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

The ordinance was then read the second time and Councilman Thornberry moved that the rule be further suspended and the ordinance be passed to its third reading. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

The ordinance was then read the third time and Councilman Thornberry moved that the ordinance be finally passed. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

Thereupon Mayor Miller declared that the ordinance had been finally passed.

Councilman Thornberry introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL APRIL 23, 1931, AND RECORDED IN ORDINANCE BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT OF THE EAST 92x150 FEET OF LOTS 1 TO 6, INCLUSIVE, BLOCK "B", CAPITOL HEIGHTS ADDITION, BEING LOCATED AT THE INTERSECTION OF SOUTH 5TH STREET AND WEST ELIZABETH STREET, IN THE CITY OF AUSTIN, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Thornberry moved that the rule be suspended and the ordinance be passed to its second reading. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

The ordinance was then read the second time and Councilman Thornberry moved that the rule be further suspended and the ordinance be passed to its third reading. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilmen  
Thornberry and Wolf

Noes : None

The ordinance was then read the third time and Councilman Thornberry moved that the ordinance be finally passed. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilmen  
Thornberry and Wolf

Noes : None

Thereupon Mayor Miller declared that the ordinance had been finally passed.

Councilman Glass offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be, and he is hereby, authorized and directed to execute for and in behalf of the City of Austin a deed to Joe O. Prowse conveying to said Joe O. Prowse all of the right, title, claim and interest of the City of Austin in and to 2331 square feet of land, being a portion of Lot 2, Block 11, Lincoln Place, a subdivision of Outlots 23 and 23 $\frac{1}{2}$ , Division "A", of the Government Outlots adjoining the Original City of Austin, Travis County, Texas .

Which motion, carrying with it the adoption of the resolution, carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilmen  
Thornberry and Wolf

Noes : None

Councilman Bartholomew offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Texas Public Service Company be, and the same is hereby, permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in JEWELL STREET, from a point 26 feet east of South 5th Street, westerly 396 feet, the centerline of which gas

main shall be  $7\frac{1}{2}$  feet south of and parallel to the north property line of said Jewell Street.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(2) A gas main in ROSEDALE AVENUE, from a point 75 feet north of West 42nd Street, northerly 75 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet west of and parallel to the east property line of said Rosedale Avenue.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(3) A gas main in SOUTH 6TH STREET, from a point 5 feet south of West Mary Street, southerly 109 feet, the centerline of which gas main shall be 10 feet west of and parallel to the east property line of said South 6th Street.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(4) A gas main in NORTH LOOP BOULEVARD, from a point 32 feet east of Huisache Street, easterly 1260 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to the north property line of said North Loop Boulevard.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(5) A gas main in GROVER AVENUE, from a point 178 feet north of North Loop Boulevard, northerly 52 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet west of and parallel to the east property line of said Grover Avenue.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(6) A gas main in NEWMAN DRIVE, from West 8th Street southerly 148 feet, the centerline of which gas main shall be 6 feet west of and parallel to the east property line of said Newman Drive.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(7) A gas main in WEST 24th STREET, from a point 185 feet east of Windsor Road, easterly 535 feet, the centerline of which gas main shall be 10 feet south of and parallel to the north property line of said West 24th Street.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(8) A gas main in EAST 11TH STREET, FROM a point 204 feet east of Lincoln Street, easterly 45 feet, the centerline of which gas main shall be 22 feet south of and parallel to the north property line of said East 11th Street.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(9) A gas main in EVA STREET, from West Milton Street northerly 107 feet, the centerline of which gas main shall be 19 feet west of and parallel to the east property line of said Eva Street.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(10) A gas main in COMAL STREET, from East 11th Street southerly 162 feet, the centerline of which gas main shall be 8 feet west of and parallel to the east property line of said Comal Street.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(11) A gas main in ELLINGSON LANE, from Bennett Avenue westerly 301 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to the north property line of said Ellingson Lane.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(12) A gas main in CEDAR AVENUE, from East 17th Street northerly 685 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet west of and parallel to the east property line of said Cedar Avenue.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(13) A gas main in WEST 51ST STREET from a point 212 feet east of Burnet Road, westerly 80 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to the north property line of said West 51st Street.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(14) A gas main in EUCLID AVENUE, from a point 140 feet north of Oltorf Street, southerly 540 feet, the centerline of which gas main shall be 18 feet east of and parallel to the centerline of said Euclid Avenue.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(15) A gas main in WINDSOR ROAD from Matthews Drive easterly 283 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to the north property line of said Windsor Road.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(16) A gas main in PRESSLER STREET, from a point 183 feet north of West 6th Street, northerly 544 feet, the centerline of

which gas main shall be 16 feet east of and parallel to the west property line of said Pressler Street.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(17) A gas main in FUNSTON STREET, from a point 47 feet north of West 33rd Street, northerly 225 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet west of and parallel to the east property line of said Funston Street.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(18) A gas main in ARDENWOOD ROAD across Lullwood Road intersection, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to the north property line of said Ardenwood Road.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(19) A gas main in AGGIE LANE, from Morrow Street southerly 417 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet west of and parallel to the east property line of said Aggie Lane.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(20) A gas main in BUTLER ROAD, from Josephine Street to Lamar Boulevard, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to the north property line of said Butler Road.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(21) A gas main in LAMAR BOULEVARD, from Butler Road northerly 288 feet, the centerline of which gas main shall be 13 feet west of and parallel to the east property line of said Lamar Boulevard.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(22) A gas main in WEST JOHANNA STREET, from a point 8 feet west of South 1st Street, westerly 64 feet, the centerline of which gas main shall be  $13\frac{1}{2}$  feet north of and parallel to the south property line of said West Johanna Street.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(23) A gas main in WEST 49TH STREET, across Burnet Road intersection, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to the north property line of said West 49th Street.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(24) A gas main in HANCOCK DRIVE, across Burnet Road intersection, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to the north property line of said Hancock Drive.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(25) A gas main in BURNET ROAD, from a point 62 feet north of south property line of Hancock Drive, northerly 27 feet, the centerline of which gas main shall be  $7\frac{1}{2}$  feet west of and parallel to the east property line of said Burnet Road.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(26) A gas main in BURNET ROAD, from a point 89 feet north of the south property line of Hancock Drive, northerly approximately 11 feet, the centerline of which gas main shall be 3 feet west of and parallel to the east property line of said Burnet Road.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(27) A gas main in BURNET ROAD, from a point 57 feet north of North Street, north approximately 15 feet, the centerline of which gas main shall be 3 feet west of and parallel to the east property line of said Burnet Road.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(28) A gas main in LAWMONT AVENUE, across Burnet Road intersection, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to the north property line of said Lawmont Avenue.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(29) A gas main in BURNET ROAD, from a point 210 feet south of Northland Drive, south approximately 15 feet, the centerline of which gas main shall be 3 feet west of and parallel to the east property line of said Burnet Road.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(30) A gas main in SHOALMONT DRIVE, across Burnet Road intersection, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to the north property line of said Shoalmont Drive.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(31) A gas main in ALLANDALE AVENUE, across Burnet Road intersection, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to the north property line of said Allandale Avenue.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

(32) A gas main in WHITE HORSE TRAIL, across Burnet Road intersection, the centerline of which gas main shall be  $7\frac{1}{2}$  feet south of and parallel to the north property line of said White Horse Trail.

Said gas main described above shall have a cover of not less than  $2\frac{1}{2}$  feet.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

And that whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

That the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchise granted to said Company by the City of Austin.

Which motion, carrying with it the adoption of the resolution, carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

The application of FRANK BUTLER, 405 West 16th Street, for a license to operate as a taxicab a 4-door Chevrolet Sedan, Motor No. AA294345, State License No. DJ-8415, duly approved by the City Manager, was submitted. Councilman Thornberry moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

The application of ALBERT LEE ELAM, 3405 Gonzales Street, for a license to operate as a taxicab a 4-door Plymouth Sedan, Motor No. P10-209408,

State License NO. JA-2807, duly approved by the City Manager, was submitted. Councilman Thornberry moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilmen  
Thornberry and Wolf

Noes : None

The application of HAROLD BARNARD, 901 Lambie Street, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Glass moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilmen  
Thornberry and Wolf

Noes : None

The application of DARRELL DALE CLUCK, 304 East 8th Street, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Glass moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilmen  
Thornberry and Wolf

Noes : None

The application of LEWIS C. HOGAN, 207 East 9th Street, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Glass moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilmen  
Thornberry and Wolf

Noes : None

The application of ROBERT GATTS PETER, University Young Men's Christian Association Building, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Glass moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilmen  
Thornberry and Wolf

Noes : None

The application of CARL EDWARD PULLIAM, 1708 Holly Street, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Glass moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilmen  
Thornberry and Wolf

Noes : None

The application of JASPER ELLIS SIMPSON, Star Route B, Box 109K, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Glass moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilmen  
Thornberry and Wolf

Noes : None

The application of HERMAN TRAVIS WATERS, Route 2, Box 299, for a taxicab driver's permit, duly approved by the City Manager, was submitted.

Councilman Glass moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilmen Thornberry and Wolf  
Noes : None

The application of FORREST ELLY WEAVER, 1906 Sabine Street, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Glass moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilmen Thornberry and Wolf  
Noes : None

The following application for a private boat license, duly approved by the Navigation Board, was submitted:

<u>Name of Owner</u>	<u>Description of Boat</u>
Johnson, Cecil A. - 1117-B West 5th Street Montgomery-Ward,	Outboard,
	Johnson, 4-passenger

Councilman Bartholomew moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilmen Thornberry and Wolf  
Noes : None

The application of BLUE SKY CAFE, 1207 East 6th Street, for a wine and beer license, Joe M. Milicia, owner, duly approved by the City Manager, was submitted. Councilman Wolf moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilmen Thornberry and Wolf  
Noes : None

Councilman Wolf offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, HJR 40 by Miller and Bracewell, of Houston, has been introduced in the current session of the Legislature; and

WHEREAS, said bill proposes to exempt \$3,000.00 of the value of all homesteads from city, school, county and other taxing agency taxes and said bill, if passed, would reduce the assessed valuations of the City of Austin by an amount conservatively estimated to be \$20,000,000.00 and such reduction will reduce the General Fund of the City by \$200,000.00 or more annually, will reduce the funds of the Austin Public Schools by \$140,000.00 or more annually, and will reduce the Interest and Sinking Fund by \$160,000.00 or more annually; and

WHEREAS, the City of Austin and the Public School System of Austin are faced with heavy demands for improvements and expansion of their facilities and the reductions in revenue which the passage of such a bill will cause will result in inestimable damage to progressive needs of the city government

and the Public School System; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Manager is hereby directed to furnish copies of this resolution to Honorable James A. Stanford, State Senator; Honorable Obie Jones, and the Honorable Pearce Johnson, Representatives; and

BE IT FURTHER RESOLVED:

That the City Council hereby goes on record as being opposed to such bill as highly destructive to the financial welfare and development of Austin and the Austin Public Schools and calling upon the Travis County Senator and Representatives to oppose the passage of said HJR 40.

Which motion, carrying with it the adoption of the resolution, carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

Upon motion of Councilman Glass, the City Manager, the City Attorney, and the Chief of Police were instructed to see to it that a stricter enforcement of the Taxicab Ordinance be had without regard to race .

City Manager Morgan submitted a memorandum from J. E. Motheral, Director of Public Works, recommending that the subdivision plat of a Resubdivision of Block "A", Shoalmont Addition Section 2, approved by the City Plan Commission on April 10, 1947, be approved by the City Council, the Subdivider having complied with all regulations regarding water, sewer, gas, and streets governing subdivisions,

Councilman Wolf moved that the recommendations of the Director of Public Works be approved and the subdivision plat be accepted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Mayor Miller, Councilmen Thornberry and Wolf

Noes : None

The following report of the Board of Adjustment on the application of Chester Kitchens for a change in zoning of the property located on West 51st Street near the intersection with Burnet Road, was received and filed:

"ZONING BOARD OF ADJUSTMENT  
AUSTIN, TEXAS  
ZONING CHANGE RECOMMENDATION

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I. Referred to the Board by the City Council : March 27, 1947

II. Property affected:

Lots 10 through 16, Block 26, A. F. Smith Addition, being located at the intersection of West 51st Street and Burnet Road

**III. To be changed**

From : "C" Commercial District  
To : "C-2" Commercial District

IV. Considered by the Board on : April 8, 1947

**V. Parties appearing**

For : Chester B. Kitchens and Mr. Kennedy

Against: Mrs. Wimberly, Mr. and Mrs. B. L. Littlepage, Raymond E. Past, Otis Sale, Mrs. T. J. Holbrook, Mrs. Peck for Rosedale School P.T.A., Mrs. A. R. Bratton, Paul Argo for Christian and Alliance Church, Mrs. Jewell Webster, Geo. Bowen, A. B. Turner, and Mack Saxon

VI. Action of the Board : Change not recommended

**For the following reasons:**

1. The applicant affirms that he is requesting the change to permit the erection and maintenance of a contractor's storage yard in connection with his contracting work over the City, and that he proposes to operate his plant on one side of 51st Street and the storage yard on the other side, the business to include mill work and prefabrication for the processing of materials; and further affirms that he purchases lumber by the car load and needs space to store it and other materials needed in his work.
2. An examination of the regulations of the Zoning Ordinance discloses the fact that the use proposed by the applicant would not be permitted in a "C-2" Commercial District but would require an industrial district; and to change the zoning of this property to a "C-2" Commercial District would also permit uses to which the property owners in this neighborhood are opposed.
3. The uses requested by the applicant would require the establishment of a spot industrial zone in this area which is in conflict with the zoning plan of the City and would adversely affect the surrounding neighborhood, since it would lay a precedent for the further expansion of such a district contrary to the master plan of the City in which industrial property is encouraged to locate in the eastern sections of the City where better trucking and railroad facilities are available.
4. The Board deemed that the present zoning of this property as "C" Commercial District is proper and permits the usual commercial uses to serve a residential area such as now exists in this neighborhood.

(Sgd) H. F. Kuehne  
Chairman "

At the request of the applicant, Chester Kitchens, a public hearing on the above matter was called for Thursday, May 8, at 11:00 A. M.

The following report of the Board of Adjustment on the application of W. E. Thompson for change in zoning of the property on the south side of Capitol Court west of the Dallas Highway (or Georgetown Road) was received:

"ZONING BOARD OF ADJUSTMENT  
AUSTIN, TEXAS  
ZONING CHANGE RECOMMENDATION

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I. Referred to the Board by the City Council on: March 27, 1947

II. Property affected:

Lot 30 of the N. A. Ladd Addition, being located on the south side of Capitol Court west of the Dallas Highway (or Georgetown Road)

III. To be changed

From : "A" Residence District

To : "C-1" Commercial District

IV. Considered by the Board on : April 8, 1947

V. Parties appearing:

For : W. E. Thompson

Against: C. E. McCullough and Wm. Bohn for himself and Herbert Bohn

VI. Action of the Board : Change not recommended

For the following reasons:

1. The property proposed to be changed is located on Capitol Court to the rear of the existing "C-1" Commercial District, being separated from Georgetown Road by three lots which he has sold to an oil company.
2. The applicant is requesting the change to permit the erection and operation of a cafe, specializing in barbecue, on his property, including the serving of beer with meals, and affirms that parking would be provided on the lot.
3. Capitol Court is a narrow dead-end street 42 feet in width and is undeveloped except for a few residences, the street being opened to the public and developed for only a short distance.

4. The Board deemed that the nature and layout of the property along this dead-end street is residential and that the operation of commercial uses along the narrow street would cause dangerous traffic congestion and parking difficulties, and that the property is now properly zoned for residential development.

(Sgd) H. F. Kuehne  
Chairman" /

At the request of W. E. Thompson, applicant, the calling of a public hearing on the above matter was postponed until further notice from him.

The following report of the Board of Adjustment on the application of Hardy Nance for a change in zoning of property located on the north side of West 9th Street between Baylor Street and Lamar Boulevard was received:

"ZONING BOARD OF ADJUSTMENT  
AUSTIN, TEXAS  
ZONING CHANGE RECOMMENDATIONS

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I. Referred to the Board by the City Council on : March 29, 1947

II. Property affected:

Lots 8 and 9, Block 8, Silliman Addition, being located on the north side of West 9th Street between Baylor Street and Lamar Boulevard.

III. To be changed

From : "B" Residence District

To : "C" Commercial District

IV. Considered by the Board on : April 1, 1947, and on April 8, 1947, after being postponed upon request of the applicant.

V. Parties appearing:

For : Hardy Nance

Against: J. C. Hinsley for Mrs. Myrtle Manlove (also Mrs. Manlove), Mr. and Mrs. H. I. Bryant, Mr. Schmedes, D. B. Thrasher, Mrs. Will Todner, Lawrence Ledbetter, Luther Robbins, and J. E. Raffa.

VI. Action of the Board : Change not recommended.

For the following reasons:

1. The property proposed to be changed is on a hill which slopes steeply on an approximately 30% grade from Lamar Boulevard to Baylor Street, and traffic and parking congestion along 9th Street at the intersection with Lamar Boulevard is already serious because of the grade and narrow width of the street.
2. The character and topography of the site renders the property undesirable and impractical for development for commercial uses since the approach from 9th Street and parking of cars in front of the property would be hazardous due to the steep grade.
3. The applicant has no plans for developing this property for commercial uses at this time and affirms that he requested the change to permit him to sell the property for these uses, and further affirms that any entrance to a commercial building would necessarily be from the alley because of the topography of the ground and street.
4. This change is not in response to any public demand or necessity for additional commercial property since there is still undeveloped property zoned for this purpose along Lamar Boulevard, and the change is requested only for the purpose of selling the property.

(Sgd) H. F. Kuehne  
Chairman. "

At the request of Hardy Nance, applicant, the calling of a public hearing on the above matter was postponed until further notice from him.

Upon motion, seconded and carried, the meeting was then recessed, subject to call of the Mayor.

Approved:

*Tom Miller*

MAYOR

Attest:

*Hellen M. Allen*

CITY CLERK